

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 206 OF 2007
WITH
CIVIL APPLICATION NO. 243 OF 2007
IN
FAMILY COURT APPEAL NO. 166 OF 2007

Kawaljeet Kaur M. Bedi. .. Appellant.

vs.

Milkha Singh Bedi. .. Respondent.

Mrs. Kawaljeet Kaur M. Bedi in person.

Mr. S.H. Bhosale for respondent.

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CORAM: J.N. PATEL &

A.A. SAYED, JJ.

DATE: 1ST OCTOBER, 2007.

P.C.

. The applicant-wife moved an application for enhancement of maintenance which has been granted by the Family Court under the impugned judgment and decree. This Court in the Family Court Appeal preferred by the husband has passed interim order on 3.7.2006 directing the appellant to pay monthly

maintenance at the rate of Rs. 1500/- per month with certain directions incorporating the consequences which will follow in case of failure on the part of the appellant to pay the money.

2. We find that a sum of Rs. 1500/- is on a lower side as it will hardly meet the bare necessities of life like food, shelter, clothing, medical expenses and minimum allowance for recreation to which a human being is entitled. The respondent-husband has produced his salary certificate for the month of July, 2007. The same is taken on record and marked "X" for identification purposes. The respondent gets salary of Rs. 20,003.24 paise as Office Assistant in the Medical Department of BEST whereas his take-home salary as shown is a meagre amount of Rs. 4,890/-

3. The learned counsel appearing for the husband on taking instructions submits that the loan in the sum of Rs. 9900/- which is being deducted from the salary has been taken for repair of house and that the husband has to maintain his 80 years old mother. We find that in the city of Mumbai to meet the bare necessities of life an individual is required to pay at least a sum of Rs. 3000/- and, therefore, we modify our order and direct the respondent-husband to pay a sum of Rs. 3000/- per month from the month of October, 2007. The maintenance is to be paid on or before 10th of each month which means that the amount should be credited in

the accounts of the appellant-wife on or before 10th of each month. We make it clear that in case of any one default this court will dismiss the appeal preferred by the appellant-husband i.e. Family Court Appeal No. 52 of 2007 and may strike off the defence in the appeal preferred by the wife i.e. Family Court Appeal No. 166 of 2007 besides taking action for non-compliance of our orders.

4. The Civil Application stands disposed of accordingly. No order as to costs.

(J.N. Patel, J.)

(A.A. Sayed, J.)